

# PROOF OF PUBLICATION

STATE OF UTAH )  
 ) ss  
COUNTY OF JUAB )

COPY

I, Allan R. Gibson, being first duly sworn, depose and say that I am the Publisher of The Times-News, a weekly newspaper of general circulation, published every week at Nephi City, Utah; that the notice attached hereto, and which is a part of

Proof No. 1 of 2

## NOTICE OF TENTATIVE DECISION TO APPROVE M/023/023

was published in said newspaper for  
one issue, the publication having been made on the

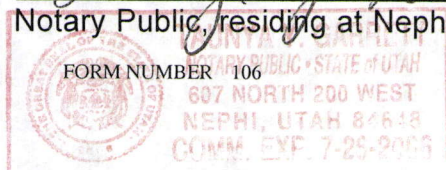
October 8, 2003

that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and that the same was published in the newspaper proper and not in a supplement.

SUBSCRIBED and sworn to before me  
this

October 8, 2003

Jaunya Y. Garrett  
Notary Public, residing at Nephi, Juab County, Utah



RECEIVED

FEB 17 2004

DIV. OF OIL, GAS & MINING

### NOTICE OF TENTATIVE DECISION TO APPROVE

BEFORE THE DIVISION OF OIL,  
GAS AND MINING DEPARTMENT  
OF NATURAL RESOURCES STATE  
OF UTAH

NOTICE OF TENTATIVE DECISION  
TO APPROVE NO. M/023/012

IN THE MATTER OF TENTATIVE  
DECISION TO APPROVE A REVISED  
LARGE MINING AND RECLAMATION  
PLAN FOR ASH GROVE CEMENT  
COMPANY'S NIELSON SANDSTONE  
MINE, JUAB COUNTY, UTAH

THE STATE OF UTAH TO ALL OPER-  
ATORS, TAKERS OF PRODUCTION,  
MINERAL AND ROYALTY OWNERS,  
AND PARTICULARLY ALL PERSONS  
INTERESTED IN SECTIONS 1, 11 AND  
12, TOWNSHIP 14 SOUTH, RANGE 3  
WEST, SLBM, JUAB COUNTY, UTAH.

Notice is hereby given by the Division  
of Oil, Gas and Mining of its tentative  
decision to approve the Large Mining  
Operations Notice of Intention to Revise  
Operations for Ash Grove Cement Com-  
pany's Nielsen Sandstone Mine. Mining  
activities will affect the following area:  
SW 1/4 of SW 1/4 of Section 1, E 1/2  
Section 11, and the NW 1/4 of NW 1/4 of  
Section 12, Township 14 South, Range 3  
West, SLBM, Juab County, Utah,

Stone mine began operation in 1967 and  
has operated as a conventional, single  
bench, open pit mine. The proposed ex-  
pansion of the Pit 1 will continue to be  
mined using a single bench approach.  
As a new pit area is disturbed, soils will  
be pre-stripped and stock piled for recla-  
mation. When the pit limits are reached,  
the pit will be graded and reclaimed. Pit  
2 will be mined in a similar manner, but  
as a repeated single bench operation.  
Mining of a single level will be completed  
before the next level is developed.

After Operations; As a mining phase  
is completed, the mine phase will  
be contemporaneously reclaimed to  
meet the post-mining land use. At the  
completion of all mining, the site will  
blend into the surrounding topography.  
The final mine slopes will be reclaimed  
at a 3M: 1V slope. The pit bottoms will  
be sub-drilled, ripped and recontoured,  
then the previously stripped soil will be  
redistributed on these areas.

All roads within the pit areas will be  
reclaimed following mining. Some road-  
ways in the mine

area will remain following mining to  
provide access to BLM grazing land  
north of the mine and to allow periodic  
inspection of the site to evaluate revege-  
tation success.

The mined area will be graded to ap-  
proximate final contours, then reclaimed  
using state-of-the-art surface roughen-  
ing and revegetation techniques. All  
seeding will take place during the fall of  
the year that reclamation is performed.

The person representing the company  
is Mr. Duane Crutchfield; Phone (435)  
857-1212. Ash Grove Cement Company  
is fulfilling obligations under the Utah  
Mined Land Reclamation Act of 1975,  
Utah Code Ann. §40-8-18.

Any person or agency aggrieved by  
this tentative decision to issue approval  
is hereby requested to submit written  
protest within thirty (30) days of the  
date of publication to Mary Ann Wright,  
Associate Director of Mining, Division of  
Oil, Gas and Mining, 1594 West North  
Temple, Suite 1210, Box 145801, Salt  
Lake City, Utah 84114-5801, setting  
forth factual reasons for the complaint.  
If no responsive written protests are  
received by the Division within 30 days  
after the last date of publication, the  
tentative decision of the Division will  
be final.

DATED, THIS 3rd day of October,  
2003

STATE OF UTAH DIVISION OF OIL,  
GAS AND MINING

(Signature)

Lowell P. Braxton Director

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Utah on 10/8/2003. BILL40

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